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Author: Holly Wheeler-Benson			

Environmental Restoration Project Quality Procedure

for:

Reporting Newly Identified Releases from Solid Waste Management Units

Los Alamos
NATIONAL LABORATORY

Los Alamos, New Mexico 87545

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Reporting Newly Identified Releases from Solid Waste Management Units

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List of Acronyms and Abbreviations

AA	administrative authority	FM	facility manager
CFR	Code of Federal Regulations	FSF	Field Support Facility
DOE-LAAO	US Department of Energy – Los Alamos Area Office	HWB	Hazardous Waste Bureau (of NMED)
EM&R	Emergency Management and Response Group	NFA	no further action
ER	environmental restoration	NMED	New Mexico Environment Department
ESH-17	Air Quality Group	OU	operable unit
ESH-18	Water Quality and Hydrology Group	PRS	potential release site
ESH-19	Hazardous and Solid Waste Group	QP	quality procedure
ESH-20	Ecology Group	RCRA	Resource Conservation and Recovery Act
FAPL	focus area project leader	RFI	RCRA facility investigation
FIMAD	Facility for Information Manage- ment, Analysis, and Display	SWMU	solid waste management unit

Reporting Newly Identified Releases from Solid Waste Management Units

NOTE: Subcontractors may follow this quality procedure (QP) for reporting newly identified releases from solid waste management units (SWMUs) or may use their own procedure(s) as long as the substitute meets the requirements prescribed by the Laboratory's LPR 308-00-00.1, Quality, and have been approved by the Environmental Restoration (ER) Project's Quality Program Project Leader before the commencement of the designated activities.

NOTE: ER Project personnel may produce paper copies of this procedure printed from the controlled-document electronic file located at <http://erinternal.lanl.gov/documents/Procedures/qps.htm>. However, it is their responsibility to ensure that they are trained to and utilizing the current version of this procedure. The author may be contacted if text is unclear.

1.0 PURPOSE

This QP describes the process for reporting a new release of a hazardous waste or hazardous constituent from a SWMU as required by Module VIII of Los Alamos National Laboratory's (the Laboratory's) Hazardous Waste Facility Permit. This procedure applies to SWMUs managed by the Laboratory's ER Project and to ER Project personnel who are assigned tasks related to reporting new releases.

Note: This QP supercedes the ER Project administrative procedure AP-04.2, Reporting of Newly Identified Releases From Solid Waste Management Units.

2.0 DEFINITIONS

2.1 Hazardous constituent — Those constituents identified in Appendix VIII of Title 40 of the Code of Federal Regulations (40 CFR) Part 261 or identified in Appendix IX of 40 CFR Part 264.

2.2 Hazardous waste — Any solid waste is generally a hazardous waste if it

- is not excluded from regulation as a hazardous waste,
- is listed in the regulations as a hazardous waste,
- exhibits any of the defined characteristics of hazardous waste (ignitability, corrosivity, reactivity, or toxicity), or
- is a mixture of solid waste and hazardous waste.

Note: See 40 CFR Part 261.3 for a complete regulatory definition of hazardous waste.

- 2.3 Release — Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of hazardous waste or hazardous constituents into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles that contain any hazardous waste or hazardous constituents).
- 2.4 Solid waste — Any garbage, refuse, or sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities
- 2.5 Solid waste management unit — Any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which solid wastes have been routinely and systematically released.

3.0 RESPONSIBLE PERSONNEL

The following personnel are responsible for activities identified in Section 4.0 of this procedure.

- 3.1 DOE-LAAO Program Manager
- 3.2 ER Program Manager
- 3.3 ER Project personnel (worker)

It is the responsibility of all ER Project personnel to

- inform the ER Program Manager of a new release upon discovery,
- initiate the SWMU Release Report, and
- notify the Regulatory Compliance Focus Area Project Leader (FAPL).

- 3.4 Operational Focus Area Project Leader

The Operational FAPL is responsible for coordinating with the Regulatory Compliance FAPL to establish the appropriate path forward and specific language to be included in the written notification to the New Mexico Environment Department (NMED), Hazardous Waste Bureau (HWB) (see Section 4.4).

- 3.5 Regulatory Compliance FAPL

The Regulatory Compliance FAPL is responsible for

- verifying the newly identified release from the SWMU,
- coordinating the reporting and notification of the release as specified in Sections 4.2, 4.3, and 4.4, and

- submitting documentation of the release to the ER Records Processing Facility (RPF) as specified in Section 5.0.

4.0 PROCEDURE

4.1 Overview of the Identification Process

The **Regulatory Compliance FAPL** is required to notify the Administrative Authority (AA) of any newly identified release(s) of hazardous waste or hazardous constituents for which there is a statistically significant increase above the background data for the media of concern.

- 4.1.1 **ER Project personnel** may observe a newly identified release during the course of groundwater or surface water monitoring, field investigations, internal or external environmental auditing, or other activities conducted after initiation of the Resource Conservation and Recovery Act (RCRA) Facility Investigation (RFI).
- 4.1.2 The **Regulatory Compliance FAPL** will verbally notify HWB within 24 hours of discovery. This notification must also be made in writing to NMED within 15 calendar days of discovery.
- 4.1.3 The **Regulatory Compliance FAPL** must notify the AA even if the newly identified release is from a potential release site (PRS) that has a “no further action” (NFA) determination.
- 4.1.4 **ER Project personnel** must make an initial assessment to determine whether the release poses a threat to human health and/or the environment (see Section 4.5).

4.2 Reporting SWMU Releases

ER Project Personnel shall inform the ER Program Manager of a new release upon discovery and will coordinate with appropriate Facility Management (FM) personnel to ensure that releases addressed in this QP are identified and reported to the ER Project.

- 4.2.1 The **ER Project worker** who discovers the newly identified release completes Part I of the SWMU Release Report (Attachment A) when the release is discovered. The following information must be included:
 - the date and time the release was discovered;
 - the name of the individual who reported the release and her or his telephone number;
 - the location of the release (SWMU number);
 - a description of the SWMU release area [including the former operable unit (OU) number, if known];

- a description of the suspected or known release of solid waste, hazardous waste or hazardous constituents; and
 - the extent of release.
- 4.2.2 Once this information is recorded on the SWMU Release Report, the **ER Project worker** who reported the release will coordinate with the Regulatory Compliance FAPL to obtain concurrence that the release is newly identified or to ensure that the site is appropriately investigated if further information is necessary.
- 4.2.3 The **ER Project worker** who reported the release and the **Regulatory Compliance FAPL** sign Part I of the SWMU Release Report to indicate their concurrence with the report.
- 4.3 Verbal Notification
- 4.3.1 The **Regulatory Compliance FAPL** begins notifying the organizations and individuals listed below within two hours of concurring with the newly identified release:
- the management of the Laboratory's Air Quality Group (ESH-17), Water Quality and Hydrology Group (ESH-18), Hazardous and Solid Waste Group (ESH-19), and the Ecology Group (ESH-20), as appropriate;
 - the ER Program Manager;
 - the Laboratory Emergency Management and Response (EM&R) Group; and
 - the Department of Energy-Los Alamos Area Office (DOE-LAAO).
- 4.3.2 The **Regulatory Compliance FAPL** coordinates verbal notification of NMED within 24 hours of discovery of the release.
- 4.3.3 The **Regulatory Compliance FAPL** documents these verbal notifications in Parts II and III of the SWMU Release Report.
- 4.3.4 The **Regulatory Compliance FAPL** shall notify the Release Discharge Notification contact at ESH-18 if a discharge or release occurs within a SWMU. This will facilitate completion of the "Release Discharge Notification."
- 4.4 Written Notification
- 4.4.1 The **Regulatory Compliance FAPL** prepares a letter to HWB, in accordance with QP 4.10, Document Development and Approval Process: Peer Review Not Required, that addresses the newly identified release. The Operational FAPL and the Regulatory Compliance FAPL will decide the most appropriate path forward to

address this new release and include the appropriate language in the letter.

4.4.1.1 For example, if the newly identified release is at a SWMU that is active and is undergoing investigation or is scheduled to undergo investigation in the future, then the written notification will indicate that the release will be addressed as part of the ongoing investigation of the SWMU.

4.4.1.2 Or, if the newly identified release is at a SWMU that is inactive or has been recommended for NFA, the Operational FAPL and the Regulatory Compliance FAPL will decide the most appropriate path forward to address this new release. This could be an accelerated corrective action, submittal of a sampling and analysis plan or any other plan of action that is deemed appropriate.

4.4.2 The **ER Program Manager** and the **DOE-LAAO Program Manager** sign the letter.

Note: DOE-LAAO must receive the letter within 10 days of discovery of the newly identified release to ensure that the written notification is received by the AA within 15 days of discovery

4.4.3 The **Regulatory Compliance FAPL** signs Part IV of the SWMU Release Report to indicate that the correct reporting protocol was observed, sufficient information was provided to DOE-LAAO and NMED, and the SWMU release was reported in the required time period.

4.4.4 The **Regulatory Compliance FAPL** compiles a complete documentation package that includes

- the finalized SWMU Release Report,
- a notification letter, and
- any other documentation deemed necessary.

4.4.5 The **Regulatory Compliance FAPL** distributes copies of this documentation package to

- the ER Program Manager,
- the Operational FAPL responsible for the SWMU where the newly identified release occurred, and
- the appropriate facility manager.

4.5 Assessment of the Newly Identified Release

4.5.1 The AA may require further investigation of the newly identified release(s). If the AA formally requests such an investigation, the

Operational FAPL will prepare a plan for the investigation, in accordance with QP-4.9, Document Development and Approval Process: Peer Review Required, and submit it to HWB for review and approval.

4.5.2 The **AA** may take action in accordance with Section J of Module VIII of the Laboratory's Hazardous Waste Facility Permit if they determine that the release poses a threat to human health and/or the environment.

4.6 Updating SWMU Documentation

The **Operational FAPL**, with assistance from the **Field Support Facility** (FSF), is responsible for updating maps in the Facility for Information Management, Analysis, and Display (FIMAD) database in accordance with QP-5.8, Identification, Documentation, and Reporting of Newly Discovered Potential Release Sites.

5.0 RECORDS

The **Regulatory Compliance FAPL** is responsible for submitting a complete documentation package of the newly identified release (processed in accordance with QP-4.4, Record Transmittal to the Records Processing Facility) to the RPF. The documentation package may include the following records:

- 5.1 the finalized SWMU Release Report,
- 5.2 a notification letter, and
- 5.3 any other documentation deemed necessary.

6.0 TRAINING

All users of this QP are trained by self-study, and the training is documented in accordance with QP-2.2, Personnel Orientation and Training.

7.0 ATTACHMENTS

The document user may employ documentation formats different from those attached to/named in this procedure—as long as the substituted formats in use provide, as a minimum, the information required in the official forms developed by the procedure.

Attachment A: SWMU Release Report

Solid Waste Management Unit Release Report

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Part I. Release Report (to be completed by ER Project personnel who discovered the release)

Date/Time release was discovered: _____

Release reported by: _____
(print name and title)

Phone: _____

Location of release (SWMU number): _____

Description of SWMU release area (include OU number): _____

Note: It may be helpful to attach a sketch or map.

How was the release discovered? _____

Suspected or known release of solid waste, hazardous waste, or hazardous constituents _____

Extent of release _____

Other (e.g., actions taken) _____

Signature (Person reporting the release)

Date

Signature (Regulatory Compliance FAPL)

Date

Part II. Protocol—Record of Notification Process (to be completed by Regulatory Compliance FAPL)

☐ Laboratory Environmental Protection Group informed (ESH-17, ESH-18, ESH-19 and/or ESH-20, as appropriate).

Individual contacted _____ Title _____

Instructions provided/received _____

☐ ER Program Manager informed.

Instructions provided/received _____

☐ Laboratory Emergency Management and Response Group (EM&R) informed.

Individual contacted _____ Title _____

Instructions provided/received _____

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Part II. Protocol—Record of Notification Process (continued)

☐ Department of Energy – Los Alamos Area Office informed.

Individual contacted _____ Title _____

Instructions provided/received: _____

☐ Facility Manager informed.

Individual contacted _____ Title _____

Instructions provided/received: _____

☐ Further investigation of release requested.

☐ Set up schedule for conference call to NMED.

☐ Other (e.g., actions taken) _____

Part III. Verbal Report to NMED (to be completed by Regulatory Compliance FAPL)

Record of conference call:

Date/Time _____

Individual(s) contacted _____

Title(s) respectively _____

Instructions _____

Part IV. Signature (to be completed by Regulatory Compliance FAPL)

The verbal and written notification process was completed as required.

Name (print) _____ Signature _____ Date _____

Attach NMED notification letter and any other appropriate documentation to this form and submit the entire package to the ER Records Processing Facility, ER Program Manager, ER Operable Unit FAPL, and the appropriate Facility Manager.

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